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CITY OF LOS ANGELES *(city council)*  
GUIDELINES FOR THE IMPLEMENTATION OF THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970

(Los Angeles City CEQA Guidelines)

*Addition to author  
card only*

Adopted by the City Council May 25, 1976

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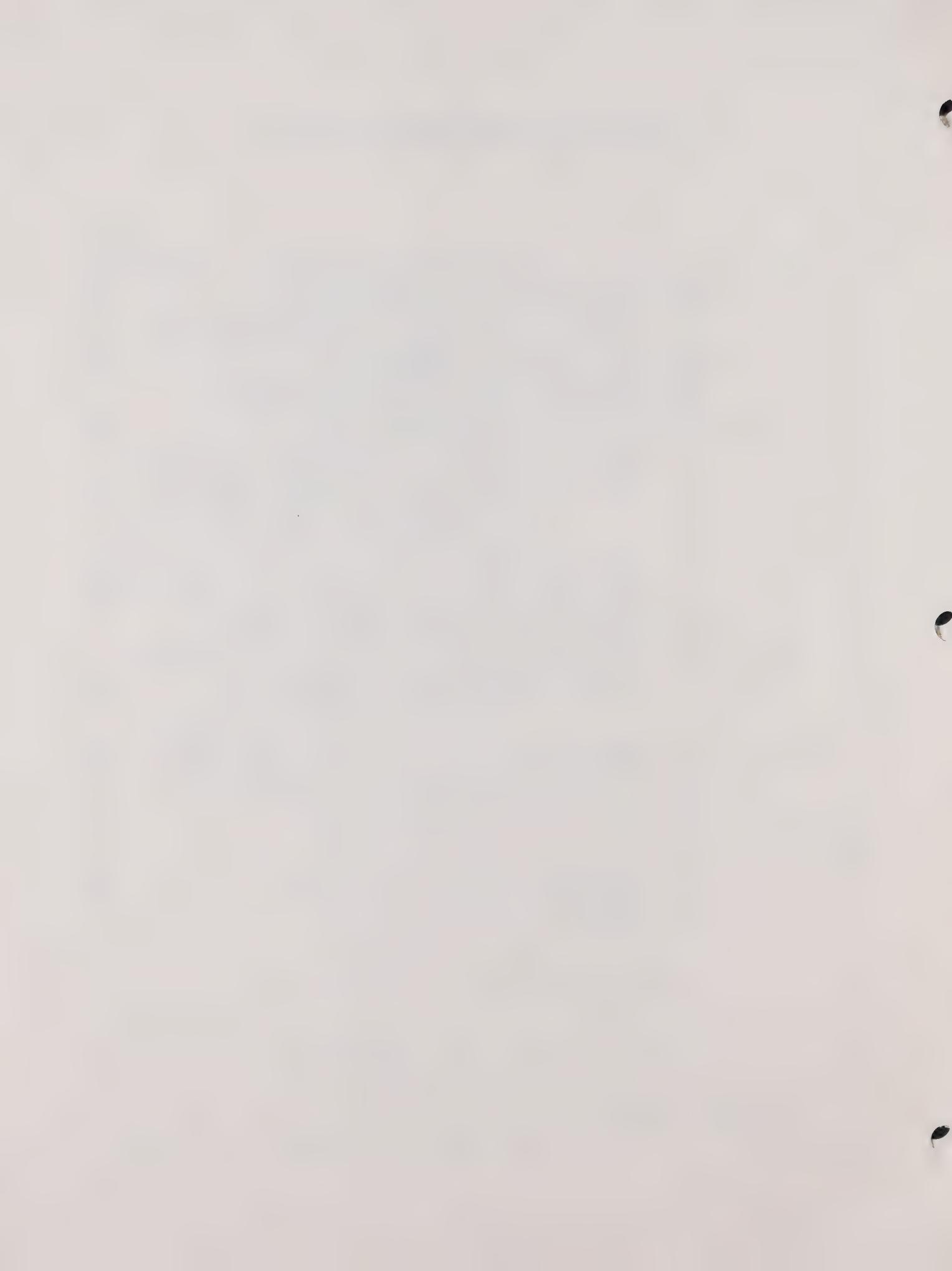
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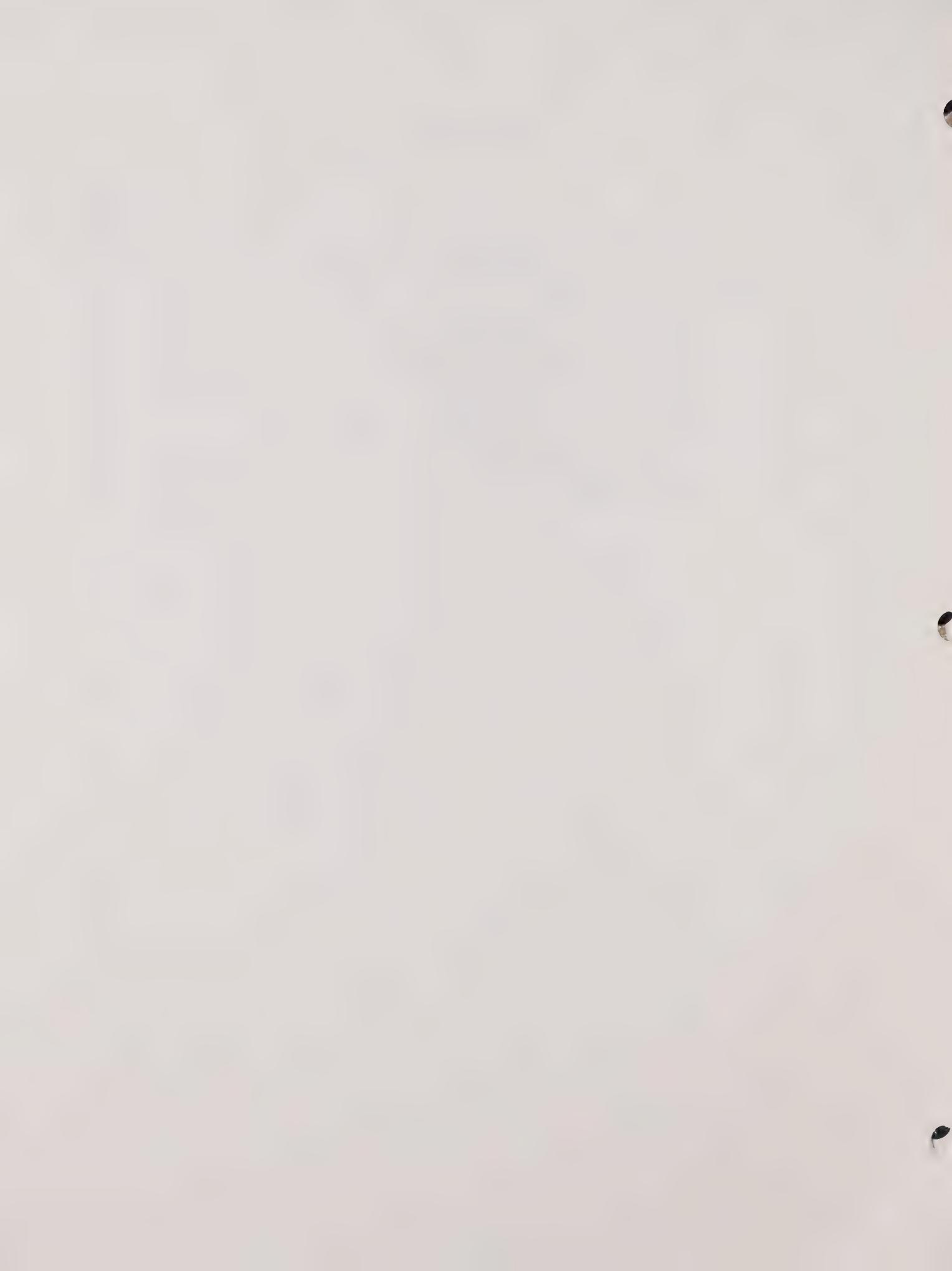
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## ARTICLE I. GENERAL

1. Short Title. These Guidelines may be cited as the Los Angeles City CEQA Guidelines.
2. Authority. These Guidelines have been adopted pursuant to the requirements of Section 15050(c) of the State EIR Guidelines. To the extent matters addressed in the State EIR Guidelines have not been addressed in these Guidelines, the State EIR Guidelines are incorporated herein by reference.
3. Purpose. The purpose of these Guidelines is to provide all agencies of the City of Los Angeles with objectives, criteria and specific procedures for the evaluation of projects and the preparation of environmental documents. These Guidelines are binding on all City agencies, including the proprietary departments, in the implementation of the California Environmental Quality Act of 1970 (CEQA).
4. Applicability. These Guidelines shall not apply to the processing of environmental documents for a project where a Notice of Completion has been filed with the State Secretary for Resources or a Negative Declaration has been filed with the Department of Environmental Quality prior to the adoption by the City Council of these Guidelines. Environmental documents for such projects shall be processed in accordance with the requirements set forth in those Los Angeles City CEQA Guidelines in effect at the time the Notice of Completion or Negative Declaration is filed. A Notice of Completion is deemed filed for purposes of this section on the date it is placed in the United States Mail to the Secretary for Resources.

5. Policy. The policy of the City of Los Angeles is to achieve compliance with the intent and provisions of CEQA.\* In carrying out this policy, City Agencies shall prepare required environmental documents at the earliest practicable stage of each project's development, so that the EIR can be used as a tool to enable environmental constraints and opportunities to be considered during project planning.

a. Use of an Initial Study.

A preliminary assessment in the form of an Initial Study shall be conducted for all projects subject to the environmental assessment process. The Initial Study Shall provide a basis for determining whether the project may have a significant effect on the environment and, therefore, whether an EIR or a Negative Declaration will be required. The Initial Study will identify the aspects of the environment in which significant impacts might reasonably be expected to occur.

b. Use of an Environmental Impact Report (EIR).

(1) An EIR is an informational document that, when prepared in accordance with CEQA and these Guidelines, is intended to accomplish the following:

- (a) Inform City Decision-Making Bodies of the environmental effects of projects they propose to carry out or approve.
- (b) Examine alternatives and institute mitigation measures that will reduce the impact of the project on the environment.

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\* "[W]e conclude that the Legislature intended the EQA to be interpreted in such a manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language." Friends of Mammoth v. Board of Supervisors, 8 Cal.3d 247, at p. 259 (1972).

- (c) Provide other public agencies and the public with an opportunity to furnish input to the City's Decision-Making Bodies on environmental issues.
- (d) Allow City Decision-Making Bodies an opportunity to balance environmental objectives with safety, health, economic and social objectives.

(2) Discussions in an EIR shall be as concise as possible and contain only such data as is relevant to the significant environmental issues addressed in the EIR.\* The environmental impact analysis of an EIR, as specified in Section 2a(3) of Article VI of these Guidelines, shall be limited to the significant environmental impacts identified in the Initial Study, or during preparation and processing of the EIR, together with any significant beneficial environmental impacts of the project. The Initial Study shall be attached to the EIR as an appendix and will constitute the record of the Lead City Agency that all other possible environmental impacts of the project have been considered and determined to be insignificant.

(3) The content of EIRs shall conform to the strict CEQA definition of "environment" and shall not discuss social or economic concerns. The EIR shall contain social and/or economic data only when necessary for an adequate discussion of an environmental issue. Social and economic information may be submitted by a project sponsor and made available to the Decision-Making Body but such information shall not be included in the EIR.\*\* Such information may be circulated with the draft EIR for public review if so requested by the applicant.

\* The purpose of CEQA is not to generate paper, but to compel government on all levels to make decisions with environmental consequences in mind. [Statement of the California Supreme Court in Bozung v. Local Agency Formation Commission of Ventura County, 13 Cal.3d 263 at 283 (1975).]

\*\* This policy relates only to those factors to be discussed in an EIR and shall not be interpreted to relieve Lead City Agencies of their obligation, apart from the environmental review process, to inform City Decision-Making Bodies of all significant ramifications of a proposed project, whether they be positive or negative, social, economic, health, safety or environmental.

(4) The EIR shall not be used as an instrument to rationalize approval of a project.

c) Indications of Adverse Impact.

- (1) CEQA requires all City Decision-Making Bodies to consider the impacts of a proposed project on the environment, both short-term and long-term. Indications of adverse impacts, as set forth in an EIR, do not require that a project be disapproved.\*
- (2) Where there are substantial adverse impacts, and the Decision-Making Body approves the project, it shall set forth in a Statement of Overriding Considerations other public objectives involved that justify approval of the project despite its substantial adverse impact on the environment.

6. General Responsibilities for Implementation of These Guidelines.

a. In General.

- (1) All City agencies are responsible for complying with CEQA and these Guidelines.
- (2) The Lead City Agency is responsible for the adequacy and objectivity of the draft and final EIRs, whether a Lead City Agency prepares the EIR, accepts information from a project applicant in the form of a draft EIR prepared under the supervision of the Lead City Agency, or contracts with a consultant to do the preparation.

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\* Note, however, that pursuant to provisions of the Subdivision Map Act (Government Code Section 66474.61(e)), a proposed subdivision must be disapproved if it "is likely to cause substantial environmental damage."

(3) Each Lead City Agency shall make copies of environmental documents available for public inspection. Citizens desiring reproductions of these documents shall be charged a fee in accordance with prevailing City policies. Copies of environmental documents must be provided if the person requesting the document is willing to pay the reproduction costs.

b. Determination of Responsibility for Preparation of Environmental Documents.

(1) Where the City of Los Angeles is the Lead Agency, the environmental documents for a project shall be prepared by the Lead City Agency, as defined in Section 18 of Article II of these Guidelines.

(2) Where the City of Los Angeles is not the Lead Agency for a project that must be approved by a Decision-Making Body of the City, the City will be a Responsible Agency and the appropriate Decision-Making Body need only certify that it has reviewed the EIR or Negative Declaration prepared by the Lead Agency and has considered the information contained therein in making its decision on the project.

c. Projects That Have Been Mandated by a State Agency. If a City project has been mandated by a State agency, the EIR prepared by the Lead City Agency shall be limited to consideration of those factors and alternatives which do not conflict with the order.\*

d. Department of Environmental Quality (DEQ). The DEQ shall have the following responsibilities with respect to the implementation of CEQA by the City of Los Angeles:

(1) The DEQ shall act as a depository for all environmental documents prepared by Lead City Agencies and shall make such documents available for public inspection.

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\* Public Resources Code, Section 21154.

- (2) The DEQ may review and comment on environmental documents prepared by any Lead City Agency.
- (3) The DEQ may hold hearings on draft EIRs at the request of the Lead City Agency or the City Council. Such public hearings shall be held near the end of the public review period. The DEQ shall provide the Lead City Agency with opportunity to participate in the hearings.
- (4) The personnel and facilities of the DEQ shall be available to any City department, bureau or officer upon request to aid in the evaluation of the environmental impact of projects and the preparation of appropriate environmental documents.
- (5) The DEQ shall work closely with the Office of the Chief Legislative Analyst to keep the City Council informed of proposed changes in environmental laws and regulations, and shall make recommendations to the City Council's State, County and Federal Affairs Committee regarding the most appropriate City position on such proposed changes.
- (6) Where projects of other public agencies may impact on the environment of the City of Los Angeles, the DEQ shall monitor the environmental analyses for such projects, ensure that appropriate City agencies are provided an opportunity to review EIRs and Negative Declarations for such projects, and make such reports to the City Council as are appropriate. If an official of a City agency becomes aware of such a project, the official shall immediately notify the DEQ.
- (7) The DEQ shall exercise its authority to require the preparation of EIRs pursuant to Section 8.101.3 of the Los Angeles Administrative Code\* in the following manner:

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\* "Each city department and each city office or bureau which intends to commence or continue a project or activity which may have a significant effect on the quality of the environment of this city, or which is otherwise requested by the City Council or by [DEQ] to do so, shall prepare and file with [DEQ] an environmental impact report thereon prior to commencing or further continuing with said project or activity."

- (a) The DEQ shall notify the Lead City Agency within 30 days after a Negative Declaration is filed with DEQ that the DEQ has reason to believe that the project in question may have a significant effect on the environment and that the DEQ is considering requiring the preparation of an EIR.
- (b) The DEQ shall, within an additional 15 days, complete its review and investigations and notify the Lead City Agency whether the preparation of an EIR will be required for the project in question.
- (c) If the DEQ requires the preparation of an EIR, it shall advise the Lead City Agency of the specific areas of environmental concern upon which the DEQ is basing the requirement. The DEQ shall also forward a report to the City Council notifying the Council of the requirement and setting forth the reasons therefor.

e. City Administrative Officer.  
The City Administrative Officer shall prescribe the necessary forms for implementation of these Guidelines.

f. City Clerk.

- (1) In all cases where environmental documents have been submitted to the City Council as a Decision-Making Body for its consideration, the City Clerk shall be responsible for the following:
  - (a) Copies of EIRs and Negative Declarations shall be delivered to each Council member concurrent with the Council Calendar containing the item for which the documents would be considered by the City Council.
  - (b) The City Clerk shall file appropriate Notices of Determination with the County Clerk of the county or counties where the project will be located and with the DEQ no later than one week after City Council action on projects with EIRs or Negative Declarations. Such Notices of Determination shall be prepared by the Lead City Agency and forwarded to the City Clerk prior to City Council action on the project.
- (2) The City Clerk shall make copies of these Guidelines available for sale to the general public.

g. Comments on EIRs of Other Public Agencies.

- (1) When individual City agencies or experts within such agencies are requested by other public agencies to comment on an EIR for a project located in the City of Los Angeles, such agencies or individuals may respond directly to the public agency making the request provided that:
  - (a) Such comments are consistent with any specific position previously adopted by the City Council on the project covered by the EIR; and
  - (b) Such comments are transmitted to the DEQ and the Council member of the district or districts where the project is located at least 5 days prior to transmission to the requesting agency.
- (2) This subsection does not apply to comments made by a City department on a draft EIR being prepared by another City department.

h. Timely Compliance.

City agencies shall carry out their responsibilities for preparing and reviewing environmental documents as expeditiously as possible to avoid unnecessary delays in the processing of applications for permits or other entitlements for use.

i. Orderly Preparation.

- (1) General Rule.  
For projects involving the processing of permits or other entitlements for use, the preparation of the appropriate environmental documents shall be commenced in the order in which the applications are filed with the Lead City Agency.
- (2) Leases.  
For projects involving the leasing of City-owned property, the Lead City Agency may establish priorities for the processing of environmental documents for applications for such leases.

7. Fees.

All Lead City Agencies preparing environmental documents for projects to be carried out by any person or entity other than the Lead City Agency may require the payment of a reasonable fee by such person or entity in order to recover the costs incurred in preparing and processing the environmental document.\*

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\* Section 19.05 of the Los Angeles Municipal Code requires the collection of fees as follows:

- "A. Independent City Departments. For the processing of each Environmental Impact Report filed by the Departments of Airports, Harbor and Water and Power, a fee of \$300.00 shall be paid to the Department of Environmental Quality.
- B. Private Parties. For the processing of each Environmental Impact Report or Negative Declaration filed in connection with permit applications by private parties, the following fees shall be paid to the City Planning Department at the time the permit application is filed:
  - 1. For the processing of each Negative Declaration filed, a fee of \$100.00.
  - 2. For the processing of each Environmental Impact Report filed, a fee based upon the size of the affected property as follows:
    - (a) A fee of \$300.00 where the affected property is less than one acre in size;
    - (b) A fee of \$500.00 where the affected property is more than one but less than five acres in size;
    - (c) A fee of \$1,000.00 where the affected property is more than five acres in size."



## ARTICLE II. DEFINITIONS

1. Applicant.

An applicant is a person who proposes to carry out a project and needs a lease, permit, license, certificate, or other entitlement for use, or who is requesting financing assistance from one or more public agencies to carry out a project.

2. Approval.

Approval is the action by a Decision-Making Body which commits the City to a definite course of action in regard to a project intended to be carried out by any person.

a. Capital Improvement Projects.

(1) Projects to be Funded by the Capital Improvement Expenditure Program of the Annual City Budget. Approval occurs when the City Council, by motion adopted subsequent to the initial budget appropriation for a project, expressly authorizes the Lead City Agency to expend funds to proceed with the project. However, the expenditure of funds for the preparation of appropriate environmental documents, as well as for special reports, site utilization studies, schematic designs, title searches, appraisal services, and other related preliminary activities shall not constitute approval of such projects and does not require the prior adoption by the City Council of the above motion.

(2) Projects Funded by Assessment Proceedings.

Approval occurs when the City Council grants the request of the petitioners or authorizes by resolution the institution of such proceedings.

b. Projects Not Funded in the Capital Improvement Expenditure Program.

Approval occurs when the project is authorized to proceed. EXCEPTION: For portions or elements of the General Plan or zoning amendments, approval occurs upon final adoption by the City Council.

- c. Projects to be Funded or Partially Funded by the City But Not Carried Out by the City.  
Approval occurs when the Decision-Making Body commits itself to participation in the project.
- d. Private Projects.  
Approval occurs upon the earliest decision to issue a permit, license, certificate or other entitlement for use. However, if an appeal from such decision is taken, approval for purposes of filing the Notice of Determination does not occur until the final determination on appeal is made.

3. California Environmental Quality Act (CEQA).  
California Environmental Quality Act (CEQA) is the State law implemented by these Guidelines and is contained in the California Public Resources Code, Section 21000 et seq.

4. Categorical Exemption.  
A Categorical Exemption is an exemption from the requirements of CEQA based on a finding by the Secretary for Resources and the Los Angeles City Council that certain types of projects do not have a significant effect on the environment.

5. CEQA.  
CEQA is the California Environmental Quality Act.

6. Decision-Making Body.  
A Decision-Making Body is the group or individual having project approval authority.

7. DEQ.  
The DEQ is the Department of Environmental Quality.

8. Discretionary Project.

A discretionary project is an activity defined as a project which requires the exercise of judgment, deliberation, or a decision on the part of the public agency or body in the process of approving or disapproving a particular activity, as distinguished from activities where the public agency or body merely has to determine whether there has been compliance with applicable statutes, ordinances, or regulations.

9. Emergency Projects.

Emergency projects are those undertaken, carried out or approved by a public agency pursuant to a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss of or damage to life, health, property, or essential public services.

10. Environment.

Environment, for purposes of implementing CEQA, is the physical conditions which exist within the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

11. Environmental Documents.

Environmental documents are draft and final EIRs, Initial Studies, Negative Declarations, Notices of Completion, Notices of Determination, and Notices of Exemption.

12. Environmental Impact Report (EIR).

An Environmental Impact Report is a concise statement setting forth the environmental effects and considerations pertaining to a project as specified in Section 21100 of the California Environmental Quality Act.

a. Draft EIR.

A draft EIR is an EIR containing the information required by Section 2 of Article VI of these Guidelines.

b. Final EIR.

A final EIR is an EIR that has been subjected to the public review process and contains the information required by Section 7 of Article VI of these Guidelines.

c. Master EIR.

A Master EIR is an EIR covering a geographical area that may involve cumulative environmental impacts from a number of separate projects within the geographical area.

d. Program EIR.

A Program EIR is an EIR covering environmental factors that are common to a particular type of project.

13. Environmental Impact Statement (EIS).

An Environmental Impact Statement is an environmental impact report prepared pursuant to the National Environmental Policy Act (NEPA).

14. Feasible.

Feasible means capable of being accomplished in a successful manner which is reasonably available, economic and workable.

15. Feasibility and Planning Studies.

Feasibility and planning studies are activities involving only studies for possible future actions which the agency, board or commission has not approved, adopted or funded.

16. Initial Study.

An Initial Study is a comprehensive analysis of those aspects of the environment which could potentially affect a project or be affected by a project conducted to determine whether a project may have a significant effect on the environment.

17. Lead Agency.

A Lead Agency is the public agency, such as a city or county, which has the principal responsibility for carrying out or approving a project.

18. Lead City Agency.

A Lead City Agency is the City department, bureau, division, section, office, officer or agency which has the principal responsibility for carrying out a project which is subject to the provisions of CEQA, or has the principal responsibility for processing the application for a lease, permit, license, or other entitlement for use for a project which is subject to the provisions of CEQA. If more than one City Agency meets the Lead City Agency criteria, the Lead City Agency shall be the City Agency that normally acts first on such projects.

19. Local Agency.

A local agency is any public agency other than a State agency, board or commission. The City of Los Angeles constitutes a single local agency.

20. Ministerial Projects.

Ministerial projects are activities undertaken by public agencies pursuant to a statute, ordinance or regulation that sets forth the conditions upon which the undertaking must or must not be granted. With these projects, the agency must act upon the given facts without regard to its own judgment or opinion concerning the propriety or wisdom of the act, although the statute, ordinance, or regulation may require, in some degree, interpretation of its language by an officer of the agency.

21. National Environmental Policy Act (NEPA).

The National Environmental Policy Act (NEPA) is the federal law requiring an environmental assessment for federal actions that involve impacts on the environment. NEPA is set forth in 42 U.S.C.A. 4321 et seq.

22. Negative Declaration.

A Negative Declaration is a statement by the Lead Agency briefly setting forth the reasons why the project, although not otherwise exempt, will not have a significant effect on the environment and therefore does not require an EIR.

23. NEPA.

NEPA is the National Environmental Policy Act.

24. Notice of Completion.

A Notice of Completion is a notice filed with the Secretary for Resources by a Lead Agency as soon as it has completed a draft EIR and is prepared to send out copies for public review.

25. Notice of Determination.

A Notice of Determination is a notice to be filed by a Lead City Agency after a project subject to the provisions of CEQA has been approved.

26. Notice of Exemption.

A Notice of Exemption is a notice which may be filed by a Lead City Agency after the Lead City Agency has approved a project and has determined that it is a ministerial, categorically exempt, or emergency project.

27. Participating City Agency.\*

A Participating City Agency is a City department, bureau, division, section, office, officer or agency which is required by Charter or action of the City Council to review a particular class of projects and make comments or recommendations to the Lead City Agency.

28. Person.

Person includes any person, firm, association, organization, partnership, business, trust, corporation and company, and any district, county, city and county, city, town, the State, and the political subdivisions of such entities.

29. Persons with Special Expertise.

Persons with special expertise are those individuals with experience, knowledge or formal education in disciplines germane to specific contents of environmental documents that will allow them to offer authoritative information and opinions for the preparation and review of such documents. These persons may be members of the general public, or employees of private companies or governmental agencies.

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\* For example, the Traffic Department would be a Participating City Agency in its role as a reviewing and recommending agency to the Planning Department on projects subject to the Subdivision Map Act.

30. Project.

A project is the whole of an action, which has a potential for impact on the physical environment, directly or ultimately, that is any of the following:

- a. An activity to be directly undertaken by a public agency.
- b. An activity undertaken by a person which is supported in whole or in part through contracts, grants, subsidies, loans or other forms of assistance from one or more public agencies.
- c. An activity involving the issuance to a person of a lease, permit, license, certificate or other entitlement for use by one or more public agencies.
- d. The enactment and amendment of local zoning ordinances and local general plans or elements thereof.

31. Project Sponsor.

The project sponsor is the private applicant, City agency, or other public entity that proposes to carry out the project.

32. Proprietary Department.

A proprietary department is a department having control over its own special funds.

33. Public Agency.

A public agency is any state agency, board, or commission, or any local agency as defined in these Guidelines. The courts of the State and agencies of the federal government are not public agencies for purposes of CEQA compliance. The City of Los Angeles constitutes a single public agency.

34. Recirculation.

Recirculation is the act of circulating for public review a previously reviewed environmental document for the purpose of examining significant new information or data not contained in the original document.

35. Responsible Agency.

A Responsible Agency is a public agency, such as a city or county, which has approval power over a project, but is not the Lead Agency for the project.

36. Significant Effect.

Significant effect is a substantial adverse impact on the environment.

37. State EIR Guidelines.

The State EIR Guidelines are the State of California Guidelines for the Implementation of the California Environmental Quality Act and are contained in Title 14, Division 6 of the California Administrative Code.

38. Statement of Overriding Considerations.

A Statement of Overriding Considerations is a statement identifying other public objectives that, in the opinion of the Decision-Making Body, warrant approval of a project notwithstanding its substantial adverse impact on the environment.

39. Supporting Data.

Supporting data is the information and analysis gathered or prepared for the Initial Study that supports the conclusions relative to the project's possible environmental impact.

40. Terminology.

The following words are used to indicate whether a particular provision in these Guidelines is mandatory, advisory, or permissive:

- a. "Must" or "shall" identifies a mandatory provision which all City agencies are required to follow.
- b. "Should" identifies areas wherein guidance is provided by the Secretary for Resources based on policy considerations contained in CEQA, in the legislative history of the statute, or in federal court decisions which California courts can be expected to follow. City agencies shall follow this guidance in the absence of compelling, contervailing considerations.
- c. "May" identifies a permissive provision left to the discretion of the City agencies involved.

ARTICLE III: APPLICATION OF CEQA TO THE ACTIVITIES  
OF THE CITY OF LOS ANGELES

1. General Rule.

These Guidelines apply generally to discretionary actions by City agencies which may have a significant effect on the environment. However, where it can be seen with reasonable certainty that the type of activity in question could not possibly have a significant effect on the environment, the activity is not covered by CEQA and these Guidelines do not apply.

2. Exempt Activities.

The following activities are exempted from the requirements of CEQA and these Guidelines and no EIR or Negative Declaration is required:

a. Emergency projects, such as:

- (1) Projects undertaken, carried out, or approved by a City agency to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-striken area for which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 (commencing with section 8550) of Division 1, Title 2 of the Government Code.
- (2) Emergency repairs to public service facilities necessary to maintain service.
- (3) Projects undertaken as immediate action necessary to prevent or mitigate an emergency.

b. Ministerial projects, such as:

- (1) Issuance of building permits, including:
  - (a) Demolition permits except those involving the demolition or removal of buildings or structures of historical, archaeological or architectural consequence as officially designated by federal, State or local governmental action.
  - (b) Electrical permits.
  - (c) Heating, ventilating, air-conditioning and refrigeration permits.

- (d) Elevator permits.
- (e) Boiler and pressure vessel permits.
- (f) Plumbing permits.
- (g) Relocation permits.

- (2) Issuance of business licenses.
- (3) Approval of final subdivision maps.
- (4) Issuance of Fire Department permits necessary for the safeguarding of life and property from the hazards of fire, explosion or panic.
- (5) Approval and installation of individual utility service connections and disconnections, including:
  - (a) Water and electrical facilities to serve approved projects of public agencies, including, but not limited to, street lighting systems, fire hydrants, etc.
  - (b) Utility extensions of reasonable length to serve projects for which permits have been issued.
- (6) Permits issued by the Department of Public Works as follows:
  - (a) Class "A" permits for construction or repair of sidewalks, driveways and curbs.
  - (b) Excavation permits except those involving areas of archaeological consequence as officially designated by federal, State or local governmental action.
  - (c) House-moving permits.
  - (d) Permits for house numbers on curbs.
  - (e) Manhole cover permits.
  - (f) Overload permits (height, width and weight).
  - (g) Permit for lease dump truck (personal).
  - (h) Sewer permits (special connections).
  - (i) Storm drain connection permits.
  - (j) Permits for private rubbish trucks.

(7) Projects requiring the approval of the City Planning Department:

- (a) Parcel Maps - determination that existing regulations do not apply.
- (b) Airport Approach Zoning Regulations - Planning Director authority to determine airport hazard area boundaries.
- (c) Change of Zone or Height District (Ordinances implementing change): Removal of "F" Funded Improvement - removal of designation from map; "Q" and "T" Classification - removal of designation from map; and "Q" plot plan approval pursuant to precise instructions from City Council leaving no discretion.
- (d) Office of Zoning Administration - plot plan approvals pursuant to precise instructions or conditions leaving no discretion.
- (e) Conditional Uses - plot plan approvals pursuant to precise instructions from the Decision-Making Body.

(8) Engineering permits issued in accordance with an entitlement for use previously granted.

(9) Permits issued by the Department of Traffic as follows:

- (a) Searchlight permits.
- (b) Bicycle rack permits.
- (c) Vendors permits.

c. Categorical Exemptions, as set forth in Article VII of these Guidelines.

d. Feasibility and planning studies for possible future action, although such studies shall include consideration of environmental factors.

e. Proposals for legislation to be enacted by the State Legislature.

- f. Continuing administrative, maintenance and personnel-related activities.\*
- g. The submission of proposals to a vote of the people of the City of Los Angeles.
- h. Any activity specifically exempted from the requirements of CEQA by state law.
- i. Any activity (approval of bids, execution of contracts, allocations of funds, etc.) for which the underlying project has been evaluated for environmental significance and processed according to the requirements of these Guidelines.

3. Notice of Exemption.\*\*

a. Public Projects.

When a Lead City Agency approves a project that is exempt from the requirements of CEQA because it is an emergency project, a ministerial project, or categorically exempt, the Lead City Agency may file a Notice of Exemption. The Notice shall include the following:

- (1) A concise description of the project.
- (2) A finding that the project is exempt, including a reference to the City Guideline provision under which it is found to be exempt.
- (3) A brief statement of reasons to support the finding.

b. Private Projects.

Whenever the Decision-Making Body of a Lead City Agency approves an applicant's project, the Lead City Agency or the applicant may file a Notice of Exemption. A Notice of Exemption filed by an applicant shall contain the information required in subsection a above, together with a certified document issued by the Lead City Agency stating that it has found the project to be exempt.

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\* This subsection should not be construed by City agencies to exempt them from their continuing obligation to reassess ongoing programs that impact on the environment.

\*\* The form to be utilized for the Notice of Exemption is attached as Appendix A.

c. Filing of the Notice.\*

The Notice of Exemption, where used, shall be filed with the County Clerk of the county or counties in which the project will be located and with the DEQ. The DEQ shall make such notices available for public inspection.

4. Redevelopment Projects.

All City and private activities in connection with a redevelopment plan constitute a single project for purposes of compliance with CEQA and these Guidelines.

a. Preparation of the EIR.

The Community Redevelopment Agency (CRA) shall be the Lead Agency for purposes of compliance with CEQA and shall prepare the EIR for a redevelopment plan. The CRA shall consult with all Participating City Agencies prior to the circulation of a draft EIR for public review.

b. Timing of the EIR.

A final EIR shall be completed prior to the submission of the redevelopment plan to the City Planning Commission.

c. The City Planning Commission (CPC).

The CPC shall consider the contents of the proposed final EIR in making its recommendation to the City Council on the proposed redevelopment plan.

d. Certification by the CRA and the City Council.(1) CRA.

At the time it approves the redevelopment plan, the CRA shall certify that the EIR was prepared in compliance with CEQA, the State EIR Guidelines, and the City of Los Angeles CEQA Guidelines, and that it has reviewed and considered the information contained in the EIR in determining whether to approve the redevelopment plan.

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\* Any action or proceeding alleging that a public agency has improperly determined that a project is an emergency project, a ministerial project, or categorically exempt, and therefore not subject to the provisions of CEQA, shall be commenced within 35 days after the filing of the Notice of Exemption with the County Clerk. Public Resources Code Section 21167(d).

(2) City Council.

The City Council, as a Responsible Agency, shall certify that it has reviewed and considered the information contained in the EIR in determining whether to approve the redevelopment plan.

e. Supplementing the EIR.

The EIR for a redevelopment plan shall be supplemented if any of the following occurs:

(1) The CRA or the City Council proposes changes to the plan which, if implemented, could result in a significant effect on the environment.

(2) The CRA or the City Council is not satisfied with the adequacy or the accuracy of the information contained in the EIR.

f. Recirculation of a Supplemented EIR.

The question of whether to recirculate for public review a supplemented EIR for a redevelopment plan shall be determined according to the criteria set forth in Section 9e of Article VI of these Guidelines.

5. Projects Involving Federal Approval or Funding.

a. Concurrent Satisfaction of the Requirements of Both CEQA and NEPA.

For those projects where both an EIR and an EIS will be required because a City project involves federal approval or funding, one report should be prepared satisfying the requirements of both CEQA and NEPA. To the extent that federal guidelines for the preparation of the EIS require inclusion of matters excluded from City EIRs by the policies set forth in Section 4 of Article I of these Guidelines, such City policies do not apply.\*

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\* Projects that are exempt under CEQA from the requirement of an environmental assessment are not necessarily exempt under NEPA. The environmental guidelines of the federal agency involved should be consulted to ascertain which projects are exempt and how to process environmental documents for non-exempt projects.

b. Use of an EIS to Satisfy the Requirements of CEQA.  
If an EIS has been completed and subjected to public review pursuant to NEPA in connection with the federal approval or funding of a City project, then the EIS may be used without further processing or public review to satisfy the requirements of CEQA, provided the Decision-Making Body certifies that the information contained in the EIS satisfies the requirements of Section 21100 of the Public Resources Code.\*

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\* Public Resources Section 21100 requires that an EIR contain a detailed statement setting forth the following:

- "(a) The environmental impact of the proposed action.
- (b) Any adverse environmental effects which cannot be avoided if the proposal is implemented.
- (c) Mitigation measures proposed to minimize the impact including, but not limited to, measures to reduce wasteful, inefficient, and unnecessary consumption of energy.
- (d) Alternatives to the proposed action.
- (e) The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity.
- (f) Any irreversible environmental changes which would be involved in the proposed action should it be implemented.
- (g) The growth-inducing impact of the proposed action."

## 6. Multiproject Environment Reviews.

### a. Phased Projects.

Where a project that may have a significant effect on the environment is to be undertaken in phases, such as the construction of a 300-unit residential development in 100-unit increments, the Lead City Agency must prepare a single EIR for the total undertaking.

### b. Projects That Are a Necessary Precedent to or a Commitment to a Larger Project.

Where an individual project is a prerequisite for, or commits the City to a larger project that may have a significant effect on the environment, such as the acquisition of land for purposes of later constructing a public facility, the Lead City Agency must prepare an EIR that addresses the scope of the larger project.

### c. Similar but Unconnected Projects.

An EIR prepared for one project may be used as the EIR for another project where it can be shown that the prior EIR contains an adequate discussion of the environmental impacts of the subject project. The following procedures shall be complied with:

(1) The EIR shall be supplemented with the following information:

- (a) A concise description of the new project.
- (b) A map showing the location of both projects.
- (c) Minor differences, if any, in the environmental impacts of the two projects.
- (d) Information as to when the earlier project was considered by the Decision-Making Body and whether there have been any significant changes in the area surrounding the two projects since such consideration.

(2) A cover sheet shall be attached to the EIR stating that the Lead City Agency is using an EIR prepared for a similar project as the EIR for the subject project and declaring the Lead City Agency finds that the prior EIR contains an adequate discussion of the environmental impacts of the subject project. The reasons supporting such a finding shall be set forth.

(3) The EIR, together with its supplemental information and cover sheet, shall be circulated for public review for 30 days.

- (4) After the public review period is over, the Lead City Agency shall respond in writing to any comments received, including those relating to the propriety of utilizing the EIR for the subject project.
- (5) The EIR shall then constitute the proposed final EIR for the subject project and shall be further processed pursuant to Sections 8 through 11 of Article VI of these Guidelines.

d. Use of a Single EIR for Several Similar Projects. Where a project is one of several similar projects of a Lead City Agency but is not deemed a part of a larger project, a single EIR may be prepared for a number of such projects rather than a separate EIR for each project.

e. Program EIRs.

- (1) Program EIRs, when considered appropriate by Lead City Agencies, may be used to evaluate environmental factors that are common to a particular type of project. The Program EIR shall contain a discussion of the following:
  - (a) A description of the type of project;
  - (b) An evaluation of the environmental factors common to the type of project;
  - (c) Feasible mitigation measures available to reduce or eliminate adverse environmental consequences;
  - (d) Feasible alternatives to the type of project involved;
  - (e) The long-term environmental implications of the type of project; and
  - (f) The growth-inducing impact of the type of project.

- (2) After a Program EIR has been prepared, it may be thereafter used as a reference document in the preparation of specific project EIRs. The Program EIR may be attached to the specific project draft EIR as an appendix or the specific project draft EIR may set forth a summary of the Program EIR and indicate where a copy of the Program EIR may be obtained or reviewed.
- (3) Program EIRs should be prepared in connection with the EIR for a specific project to be undertaken or approved by a Lead City Agency where involvement in future projects having similar environmental impacts can be reasonably foreseen.

f. Master EIRs.

- (1) A Master EIR, when considered appropriate by Lead City Agencies, may be prepared for geographical areas that, if developed, would cumulatively impact on the environment. Thereafter, when an EIR is required for a project that is a part of an area for which a Master EIR has been prepared and approved by the appropriate Decision-Making Body, the EIR on the specific project need only address significant environmental effects and feasible mitigation measures and alternatives not discussed in the Master EIR.
- (2) The Lead City Agency shall attach the Master EIR to the smaller project draft EIR as an appendix or set forth a summary of the Master EIR in the specific project EIR and indicate where a copy of the Master EIR may be obtained or reviewed.
- (3) Master EIRs should be prepared in connection with the EIR for a specific project where it can be reasonably foreseen that there will be future development cumulatively impacting the environment impacted by the specific project.

7. Subsequent EIRs After Project Has Been Approved.

- a. Where an EIR has been prepared and the project approved, a subsequent EIR need be prepared only if:
  - (1) Substantial changes in the project are proposed that may involve significant environmental effects not considered in the original EIR.

(2) Substantial changes with respect to the circumstances under which the project is to be undertaken are proposed (such as a change in the location of the project) that may involve significant environmental effects not considered in the original EIR.

b. The requirements of this section may be satisfied by the preparation and circulation for public review of a supplement to the original EIR. The original EIR or a detailed summary thereof may be circulated with the supplement, or information may be attached to the supplement regarding the availability of the original EIR for public review. A notice shall be sent to each person or organization that commented in writing on the original EIR stating that a change in the project has been proposed and that a supplement to the original EIR has been prepared and is available for review.

#### 8. Ongoing Projects.

a. A project to be carried out by a City agency that was approved prior to November 23, 1970, shall not require an EIR unless the project may have a significant effect on the environment and one or more of the following conditions exist:

- (1) A substantial portion of public funds allocated for the project has not been spent, and it is still feasible to modify the project to mitigate potentially adverse environmental effects, choose feasible alternatives to the project, or halt the project. This subsection (1) shall not apply to projects that come under the jurisdiction of NEPA where the appropriate federal agency has found that the project was too far advanced at the time of NEPA's effective date to require an EIS.
- (2) Modifications are proposed to the project that may have significant effects on the environment that are new or substantially more significant.



## ARTICLE IV: INITIAL STUDY

1. General.

If a project is subject to the requirements of CEQA and not exempted by these Guidelines, the Lead City Agency shall conduct an Initial Study to determine if the project may have a significant effect on the environment. If any of the effects of a project may have a substantial adverse impact on the environment, regardless of whether the overall effect of the project is adverse or beneficial, then an EIR must be prepared on the impacts identified in the Initial Study as potentially significant.

2. Preparation of the Initial Study.\*a. Contents.

An Initial Study shall be in written form and shall contain the following:

- (1) A concise description of the project.
- (2) A brief description of the existing environment where the project will be located.
- (3) An assessment, quantified where feasible, of the environmental impacts of the project, including reasons why such impacts may or will not be significant; and
- (4) A recommendation as to whether an EIR or a Negative Declaration is the appropriate environmental document for the project. If any of the possible adverse environmental impacts of the proposed project may be significant and will not be mitigated, the recommendation must be that an EIR be prepared.

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\* A form that may be utilized for the Initial Study is attached as Appendix B. Lead City Agencies shall develop a checklist that will ensure that all possible areas of environmental impact from projects they process are considered. The checklist and worksheets used to quantify or qualify those areas where a project has some impact on the environment shall be attached to the Initial Study as supporting data.

b. Undefined Use.

In those instances where the precise nature of the ultimate project is not known, such as a zone change that would permit a variety of uses, the Initial Study must consider the significant environmental implications of all uses permitted by the proposed project. However, if the approval of the project is to be conditioned upon a particular use, the Initial Study need consider only the environmental implications of the use that will be permitted.

c. Private Projects.

If a project is to be carried out by a non-governmental person, the Lead City Agency may require such person to submit data and information to aid the Lead City Agency in preparing the Initial Study.

3. Determining Significant Effect on the Environment.

The following factors shall be considered in evaluating whether the project may have a significant effect on the environment:\*

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\* CEQA requires a finding of "significant effect on the environment" if any of the following conditions exist:

- (a) A proposed project has the potential to degrade the quality of the environment, curtail the range of the environment, or to achieve short-term, to the disadvantage of long-term, environmental goals;
- (b) The possible effects of a project are individually limited but cumulatively considerable;
- (c) The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly.

Public Resources Code, Section 21083.

- a. In determining whether the proposed project may cause substantial adverse environmental impacts, consider whether the project:
  - (1) Disrupts preservation values of the site.
  - (2) Would be likely to create a hazardous condition.
  - (3) Creates a substantial and demonstrable negative aesthetic effect.
  - (4) Affects rare, threatened or endangered species of animal or plant, or habitat of such species.
  - (5) Interferes with the movement of any resident or migratory fish or wildlife species or with their habitat.
  - (6) Contaminates a public water supply or adversely affects ground water.
  - (7) Would be likely to cause flooding, erosion or siltation.
  - (8) Substantially contributes to or creates air pollution.
  - (9) Contributions to or creates unacceptable noise levels.
  - (10) Involves the commitment of nonrenewable resources, either in the construction or operation of the project.

- b. The proposed project conflicts with environmental plans and goals that have been adopted by the Los Angeles City Council.\*
- c. The proposed project involves the likelihood of substantial public controversy on environmental issues.\*\*
- d. The proposed use of the site is incompatible with the character of the surrounding land uses.
- e. The proposed project would result in inefficient or unnecessary energy consumption.

4. Mitigation Measures.

If there are legally enforceable mitigation measures available to reduce substantial adverse environmental impacts to insignificant levels, and the project is redesigned to incorporate such mitigation measures, and there are no other substantial adverse impacts, an EIR will not be required. \*\*\*

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\* Consistency with the general plan is a factor in determining whether a project may have a significant effect on the environment only to the extent that a lack of consistency may indicate that the project is in conflict with environmental plans and goals that have been adopted for the community where the project is to be located.

\*\* The existence of a factual controversy, uncertainty, conflicting assertions, argument, or public controversy will not by itself require the preparation of an EIR when there is no substantial evidence that the project as designed and approved may have a significant effect on the environment. Running Fence Corp. v. Superior Court, 51 Cal.App.3d 400 (1975). (Court of Appeal interpretation of the statement of the California Supreme Court in No Oil, Inc. v. City of Los Angeles, 13 Cal.3d 68 (1974), to the effect that "the existence of serious public controversy concerning the environmental effect of a project in itself indicates that preparation of an EIR is desirable.")

\*\*\* This procedure was approved by the Court of Appeal in Running Fence Corp. v. Superior Court, 51 Cal.App.3d 400 (1975).

5. Consideration of the Initial Study.

a. General.

Except as otherwise set forth in this section, each Lead City Agency shall designate a person or persons to consider Initial Studies and make recommendations as to whether proposed projects may have a significant effect on the environment. The identity of the person who prepared the Initial Study shall be made available to the public upon request.

b. Projects Involving Land Acquisition or Physical Development to be Carried Out by Council-Controlled Departments Where the City Council Is the Decision-Making Body, Except Projects Involving the Fire Department Facilities Trust Fund Expenditure Program.

- (1) For projects for which funding is provided in the Capital Improvement Expenditure Program of the Annual City Budget, the Initial Study shall be forwarded to the Technical Review Committee for Capital Programming for consideration and decision.
- (2) For other projects involving land acquisition or physical development where funding is not provided in the Capital Improvement Expenditure Program, the Initial Study shall be submitted to the City Council for consideration and decision.
- (3) In either case, no funds shall be expended on such projects, other than funds necessary to prepare the Initial Study, until the Lead City Agency is instructed to prepare the appropriate environmental documents. Funds may then be expended to the extent necessary to prepare and process such documents.
- (4) A copy of each Initial Study prepared pursuant to this subsection, together with supporting data, shall be filed with the DEQ at the same time it is forwarded to the City Council or Technical Review Committee.



## ARTICLE V. NEGATIVE DECLARATION

1. Preparation of the Negative Declaration.\*

A Negative Declaration shall be prepared by the Lead City Agency for any project which the Lead City Agency finds on the basis of an Initial Study will not have a significant effect on the environment.

2. Content of the Negative Declaration.

A Negative Declaration shall include the following:

- a. A concise description of the project setting forth its size, nature of use, and exact location.
- b. A finding that the project will not have a significant effect on the environment;
- c. A brief statement of the reasons supporting the finding; and
- d. A copy of the Intitial Study, together with supporting data.

3. Consultation.

Before completing a Negative Declaration, the Lead City Agency shall consult with all Responsible Agencies. Lead City Agencies may impose reasonable time constraints within which other agencies must provide their input. If a Responsible Agency does not provide its input within such time constraints, the Lead City Agency may assume that the agency has no comments to make.

4. Public Review.

- a. After the proposed Negative Declaration has been completed, it shall be filed with the DEQ for a minimum of 30 days prior to approval of the project. During the 30-day period the Lead City Agency shall also consult with the following:

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\* The form to be utilized for the Negative Declaration is attached as Appendix C.

- (1) Any public agency exercising authority over resources which may be affected by the project;
- (2) Any city or county which is the site of the project or is in an area in which the environmental effects of the project will occur.\*

b. If a State agency is a Responsible Agency or exercises authority over resources which may be affected by the project, the Negative Declaration, together with its supporting data, shall be sent to the State Clearinghouse at the same time it is filed with the DEQ.

c. During the 30-day public review period the Lead City Agency may consult with persons having special expertise with respect to any environmental impact involved.

d. The Negative Declaration must also be made available upon request to members of the general public during the 30-day period.

e. Written objections to the Negative Declaration received by the Lead City Agency during the 30-day public review period shall be attached to the Negative Declaration, together with the response of the Lead City Agency to such objections.

5. Notice.

Where there are newspaper or mailed notices required by existing administrative procedures, such notices shall contain the information that the Lead City Agency has determined that the project will not have a significant effect on the environment, the location where a copy of the Initial Study may be obtained, and the name and address of the person to whom comments on the Negative Declaration should be directed. If this section applies, the project shall not be approved until at least 10 days after such notice. This section shall not apply to projects funded by assessment proceedings.

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\* The County of Los Angeles need be consulted only if the project will impact on an area under general County jurisdiction.

6. Consideration of the Negative Declaration by the Decision-Making Body.

- a) A copy of the Negative Declaration, together with a copy of the Initial Study, the names of persons consulted in the preparation and review of the Negative Declaration, any comments received regarding the validity of the finding that the project will not have a significant effect on the environment, and the response of the Lead City Agency to such comments, shall be forwarded to each member of the Decision-Making Body of the Lead City Agency no later than two days prior to consideration of the project by the Decision-Making Body.
- b) The Decision-Making Body shall review and consider the Negative Declaration and Initial Study in connection with its determination of whether or not to approve the project.
- c) If the Decision-Making Body finds there is sufficient data to support a finding that the project will not have a significant effect on the environment, it shall adopt the Negative Declaration. Such adoption shall be prior to or concurrent with the decision to approve or disapprove the project.
- d) If the Decision-Making Body finds that there is insufficient data to support a finding that the project will not have a significant effect on the environment, it shall either request the Lead City Agency to provide additional data or instruct the Lead City Agency to prepare an EIR. The Decision-Making Body shall then postpone its consideration of whether or not to approve the project until such has been accomplished.
- e) Where a proprietary department is the Lead City Agency for a project for which a Negative Declaration has been prepared and City Council approval is required before the project may proceed, both the Board governing the proprietary department and the City Council are Decision-Making Bodies and both shall comply with this section in determining whether to approve the project. In such cases the Notice of Determination shall be prepared by the Lead City Agency and filed after City Council action on the project.

7. Notice of Determination.\*

- a. After a decision is made on the project, the Lead City Agency shall prepare and file a Notice of Determination, which shall include:
  - (1) A statement indicating whether the project has been approved or disapproved;
  - (2) A statement that the project will not have a significant effect on the environment;
  - (3) A statement that an EIR has not been prepared for the project.
- b. The Notice of Determination shall be filed with the County Clerk of any county where the project will be located and with the Department of Environmental Quality.\*\*
- c. A copy of the Negative Declaration shall be attached to the Notice of Determination filed with the County Clerk.
- d. If the project requires the discretionary approval of a State agency, a copy of the Notice of Determination shall be sent to the Secretary for Resources.
- e. In those instances where the City Council is the Decision-Making Body, the Notice of Determination shall be prepared by the Lead City Agency and transmitted to the City Clerk for filing. The Notice of Determination shall be filed within one week after the Decision-Making Body acts upon the project.

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\* The form to be used for the Notice of Determination is attached as Appendix D.

\*\* Any action or proceeding alleging that a public agency has improperly determined whether a project may have a significant effect on the environment shall be commenced within 30 days after the filing of the Notice of Determination with the County Clerk. Public Resources Code, Section 21167(b)

## ARTICLE VI. PREPARATION AND PROCESSING OF EIRs

1. Preparation of the EIR.

The EIR for a project shall be prepared by the Lead City Agency by its own efforts or by contract. Any disputes regarding this responsibility shall be submitted to the City Council for resolution. If the project is to be carried out by a private applicant, the applicant shall be required to submit data and information to aid the Lead City Agency in preparing the EIR.\*

2. The Draft EIR.

a. Contents.\*\* The draft EIR shall contain a concise discussion of the following elements:

(1) Description of the Project.

The description of the project shall contain only that information necessary for evaluation and review of the project's environmental impact.

- (a) The location and boundaries of the project shall be shown on a map, preferably topographic. A plot plan shall be provided and shall indicate the location of any proposed improvements.
- (b) A statement of the objectives of the proposed project.

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\* Acceptance by the Lead City Agency of data and information in the form of a draft EIR requires compliance with Section 2e of this article.

\*\* Section 2a is explanatory of Sections 15140, 15141, 15142 and 15143 of the State EIR Guidelines and does not represent a departure from the State requirements.

(c) A general description of the project's planning, construction, and operational characteristics. If the project is to be developed in more than one phase, identify the phases and the projected time frame for the implementation of each phase. The EIR shall cover all phases of the project.

(2) Brief Overview of the Project's Environmental Setting.

(a) Existing Conditions.

The EIR must contain a brief overview of the environment in the vicinity of the project from both a local and a regional perspective, as it exists prior to commencement of the project. Current land use and zoning maps in scales appropriate to the nature of the project should be included.

(b) Related Projects.

Identify related projects (public or private, existing or known to be planned) in the vicinity of the project.

(3) Environmental Impacts of the Proposed Project.

Discuss each potentially significant environmental impact identified in the Initial Study. In evaluating such impacts, consider all phases of the project - planning, development and operation. Support conclusions with quantified data, where feasible. The following topics shall be covered in each discussion of an environmental impact:

(a) Environmental Setting.

Describe existing conditions that will be affected by the particular impact.

(b) Significant Environmental Impacts.

Describe potentially significant adverse and beneficial environmental impacts that could result from project implementation.

(c) Mitigation Measures.

If an impact is adverse, describe mitigation measures that could reduce or eliminate the impact. Explain why such measures have not been incorporated into the project design by the project sponsor.

(d) Unavoidable Adverse Impact.

Describe the extent to which an impact will remain unmitigated. If it will be reduced to an acceptable level by the above measures, indicate "no unavoidable adverse impact."

(4) Measures to Reduce Energy Consumption.\*

- (a) Identify measures incorporated into the project design to reduce consumption of energy.
- (b) Discuss alternative or additional measures which could further reduce consumption.

(5) Long-Term Implications of the Proposed Project.

Describe the cumulative and long-term effects of the proposed project in the context of the following where relevant to the type of project involved:

- (a) The Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance and Enhancement of Long-Term Productivity.
  - (i) Identify impacts which narrow the range of beneficial uses of the environment or pose long-term risks to health or safety.
  - (ii) Explain why the project is justified now, rather than reserving an option for alternatives which may not now be feasible but which may be in the future.

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\* Examples of energy conservation measures are provided in Appendix F.

(b) Irreversible Environmental Changes Which Would be Involved in the Proposed Project if it Is Implemented.

- (i) Describe the irretrievable commitment of resources, both in the construction and operation of the project, and provide justification for such consumption.
- (ii) Discuss whether commitment of the site to this use would restrict future generations to the same use.
- (iii) Discuss irreversible environmental damage that could result from negligent operation or failure of the project's environmental safeguards.

(c) The Growth-Inducing Impact of the Proposed Action.

- (i) Identify the ways in which the proposed project could foster economic or population growth, either directly or indirectly, in the surrounding environment. Determine whether increases in population could further burden existing community services facilities or require the construction of new facilities.
- (ii) Discuss the characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.
- (iii) It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

(6) Alternatives to the Proposed Action.

- (a) Describe feasible alternatives to the project, concentrating on those which could eliminate or substantially reduce adverse impacts. Discuss the following types of alternatives as applicable:

- (i) Alternative means of attaining the basic objectives of the project.\* This type of alternative generally does not apply to private projects.
- (ii) Alternative uses of the site.
- (iii) Alternative sites.
- (iv) The alternative of no project or postponing the project.

(c) Identify the environmental impacts of the various alternatives, including the proposed project. Explain why the proposed project was selected.

b. Degree of Specificity.

The degree of specificity required in each EIR is a variable which depends on the nature of the project proposed. An EIR on a construction project will be more detailed in the specific effects of the project than will an EIR on the adoption of a local general plan element or comprehensive zoning ordinance, because the effects of the construction can be predicted with greater accuracy. In those instances where the precise nature of the ultimate project is unknown, such as a zone change that would permit a variety of uses, the EIR must encompass the significant environmental implications involved if the project is approved. An EIR on comprehensive projects such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan element should focus on the environmental consequences of policies and programs contained in the plan or the ordinance. To the extent possible the EIR should discuss the cumulative and growth-inducing impacts of implementing such policies and programs.

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\* For example, there may be several alternatives for providing electrical energy - coal, fuel oil, nuclear power, etc. Ideally, alternatives should be evaluated prior to project selection and the project which minimizes adverse impact while attaining basic objectives of the project sponsor should be set forth as the project proposal.

c. Appendices.

(1) Identity of Preparer of EIR.

Identify that person within the Lead City Agency responsible for the preparation of the EIR. Identify consultants that prepared any portion of the EIR or who provided reports or other expertise for use in the preparation of the EIR.

(2) Data Sources.

Identify published data used in the preparation of the EIR.

(3) Technical Studies and Reports.

Technical studies and reports on the proposed project which are used in the preparation of the EIR may be attached to the EIR as Appendices, or may be referenced as to their location and availability for review.

(4) Initial Study.

Attach a copy of the Initial Study together with the Initial Study checklist and the worksheets used to quantify and qualify possible environmental concerns.

(5) Organizations and Persons Consulted.

Identify all federal, state and local agencies, other organizations, and private individuals consulted during the preparation of the draft EIR, together with the nature of their comments.

d. Consultation.

Before circulation of a draft EIR for public review, the Lead City Agency shall consult with Participating City Agencies and Responsible Agencies regarding the proposed project's environmental impact. The consultation should occur early in the preparation process so that the draft EIR will reflect their concerns. The Lead City Agency should also consult at this time with any person or organization it believes will be concerned with the environmental effects of the project. Lead City Agencies should impose reasonable time constraints within which other agencies or persons must provide their input. If input is not provided within such time constraints, the Lead City Agency may assume that the agency or person consulted has no comments to make.

e. Use of Environmental Information Submitted by a Project Applicant.

Information submitted in the form of a draft EIR by a project applicant must be subjected to independent evaluation and analysis by the Lead City Agency, and must represent the independent judgment of the Lead City Agency prior to circulation of the draft EIR for public review. An applicant shall be required to list any other public agencies having approval power over the project at the time it submits the data and information. The Lead City Agency must ensure that Participating City Agencies and public agencies having approval power over the project are given an opportunity to have input in the draft EIR prior to circulation for public review.

3. Notice of Completion.

a. State Notice.

As soon as the draft EIR is completed, a Notice of Completion must be filed with the Secretary for Resources. The notice shall include a concise description of the project and its location, an address where copies of the draft EIR are available, and the period during which comments will be accepted. A form for this notice is attached as Appendix E. Where the EIR will be reviewed through the State Clearinghouse process, the cover form required by the State Clearinghouse will serve as the Notice of Completion, and no Notice of Completion need be sent to the Resources Agency.

b. Local Notice.

A notice containing the same information as the Notice of Completion shall be printed in a newspaper of general public interest having broad circulation in the area impacted by the proposed project. A local newspaper servicing the community where the project is to be located will be used if one exists. If a public hearing is scheduled on the draft EIR, the time and place of the hearing shall be included in the notice. The notice shall also indicate where in the community the draft EIR is available for review. The notice shall be printed in the newspaper not later than 5 days after the first day of the public review period.

4. Public Review.

a. Agencies That Shall be Consulted.

After completing a draft EIR, the Lead City Agency shall consult with the following:

(1) Any Responsible Agency;

(2) Any public agency exercising authority over resources which may be affected by the project; and

(3) Any city or county which is the site of the project or is in the area in which the major environmental effects of the project will occur.\*

b. Persons That Should be Consulted.

The Lead City Agency should consult with persons having special expertise with respect to any environmental impact involved.

c. Review by the General Public.

Opportunity for comments from the public shall be provided. Lead City Agencies should ensure that sufficient copies of draft EIRs are made available for adequate public review. Draft EIRs should be made available to the public by filing copies with the local public library branch serving the area where the project will be located.

d. Commencement of the Public Review Period.

The public review period shall not commence until a copy of the Notice of Completion, together with a copy of the draft EIR, has been filed with the DEQ. The DEQ shall provide the Lead City Agency with a written receipt indicating the date the draft EIR was filed with the department.

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\* The County of Los Angeles need be consulted only if the project will impact on an area under general County jurisdiction.

e. Review Periods

The Lead City Agency must provide adequate time for other public agencies and members of the public to review and comment on the EIR. Accordingly, review periods for draft EIRs shall not be less than 30 nor more than 90 days, unless the nature of the project justifies a longer review period. The length of a review period shall be commensurate with the size and complexity of the project and the EIR. Reasonable requests for extensions of time should be granted where such extensions would not conflict with time constraints established by State law, the City Charter, City ordinances, or other compelling considerations.

f. Failure to Comment.

If any public agency or person who is consulted regarding a draft EIR fails to comment within the prescribed review period, it may be assumed, absent a request for an extension of time, that such agency or person has no comment to make.

5. Review by State Agencies.

- a. The following environmental documents shall be submitted to the State Clearinghouse, 1400 Tenth Street, Sacramento, California 95814, for review by State agencies:
  - (1) Draft EIRs and Negative Declarations where a State agency is a Responsible Agency or exercises authority over resources which may be affected by the proposed project.
  - (2) Draft EISs and Negative Declarations prepared pursuant to NEPA and the Federal Guidelines (Title 40 CFR, Part 1500, commencing with Section 1500.0) and Parts I and II of Office of Management and Budget Circular A-95.
- b. When an EIR is submitted to the State Clearinghouse, the review period set by the Lead City Agency shall be at least as long as the period provided in the State review system operated by the State Clearinghouse. In exceptional circumstances, the State Clearinghouse may set shorter review periods when requested by the Lead City Agency.
- c) Lead City Agencies may send draft EIRs and proposed Negative Declarations to the State Clearinghouse for review where a State agency has special expertise with regard to the environmental impacts involved.

6. Public Hearings.

- a. A public hearing on the environmental impact of a project should be held when the Lead Agency determines that it would facilitate the purposes and goals of CEQA and these Guidelines. In deciding whether a public hearing is appropriate, the Lead City Agency shall consider the following:
  - (1) The magnitude of the proposed project in terms of economic costs, the geographic area involved, and the nature and extent of the commitment of resources involved;
  - (2) The degree of interest in the proposed project, as evidenced by requests from the public and from federal, State and local authorities that a hearing be held;
  - (3) The complexity of the environmental issues and the likelihood that information will be presented at the hearing which will be of assistance to the Lead City Agency in fulfilling its responsibilities under CEQA; and
  - (4) The extent to which public involvement already has been achieved through other means, such as previous public hearings, meetings with citizen representatives, and written comments on the proposed action.
- b. The Lead City Agency may conduct the public hearing itself or may request that the hearing be conducted by the DEQ. If the DEQ conducts the hearing, it shall provide the Lead City Agency with a summary of the significant comments made by persons testifying at the hearings.
- c. Where appropriate, the Lead City Agency should utilize public hearings otherwise required by law for the additional purpose of obtaining public input on the environmental impacts of the proposed project.

7. The Final EIR.

a. Contents of the Final EIR.

The final EIR shall be prepared by the Lead City Agency and shall consist of the following:

- (1) The draft EIR;
- (2) A list of persons, organizations and public agencies commenting on the draft EIR;
- (3) The comments and suggestions received on the draft EIR, verbatim or in summary;
- (4) The responses of the Lead City Agency to significant environmental points raised in the review and consultation process;
- (5) A brief summary of the significant information contained in the EIR; and
- (6) A certification prepared by the Lead City Agency pursuant to subsection d of this section.

b. Evaluation and Response to Comments.

- (1) The Lead City Agency shall evaluate comments received during the review period, including comments received at any public hearing.
- (2) The response of the Lead City Agency to comments received may take the form of a revision or an attachment to the draft EIR. If the draft EIR is revised, a notation shall be made after the comment indicating the location of the revisions.
- (3) When specific suggestions involving significant environmental issues are made in the comments and are not accepted by the Lead City Agency, such suggestions must be addressed and reasons set forth for not accepting them. If the suggestions relate to recommendations of disapproval of the project because of adverse environmental consequences or to the recommendation that mitigation measures be imposed or alternatives adopted, the Lead City Agency shall recommend to the Decision-Making Body that the suggestions be accepted or rejected, setting forth the reasons for the recommendation.

c. Contents of the Summary.

The summary should contain concise statements of the environmental concerns discussed in the EIR.

d. Certification of EIR by Lead City Agency.

A final EIR presented to the Decision-Making Body of a Lead City Agency shall be accompanied by a statement signed by an appropriate officer of the department, bureau, division, section, office or agency that prepared the EIR, stating that the EIR was completed in compliance with CEQA, the State EIR Guidelines, and the City of Los Angeles CEQA Guidelines.

e. Review of the Final EIR.

Upon certification of the final EIR pursuant to Subsection d of this Section, a copy shall be forwarded to the DEQ. A notice shall be sent to each person or organization that commented in writing on the draft EIR stating that a final EIR has been prepared and where a copy may be examined or obtained. The notice shall contain the date the project is scheduled to be considered by the Decision-Making Body, if such date is known at the time the notice is sent.

8. Staff Recommendations.

a. Where the Lead City Agency is not the project sponsor, it shall make recommendations to the Decision-Making Body regarding the following:

(1) Whether mitigation measures are available which should be made conditions of project approval. For each mitigation measure, indicate whether it can be routinely imposed as a condition of approval and set forth the procedure by which it can be enforced. If the mitigation measure cannot be imposed pursuant to existing City procedures, describe the means by which the measure could be imposed and enforced.

(2) Whether reasonable and available alternatives to the project that would significantly reduce the impact on the environment should be approved;

(3) Whether the project should be approved.

b. Where the Lead City Agency recommends approval of a project that has substantial adverse impacts on the environment, is not the best feasible alternative, or does not use feasible measures to reduce the environmental impact, the Lead City Agency shall set forth the reasons why it believes the project warrants approval as proposed.

9. Consideration of the Proposed Final EIR by the Decision-Making Body.

- a. A copy of the proposed final EIR shall be forwarded to each member of the Decision-Making Body or the Lead City Agency no less than two days prior to consideration of the project by the Decision-Making body.
- b. The Decision-Making Body shall review and consider the contents of the final EIR in connection with the determination of whether or not to approve the project.
- c. If the Decision-Making Body is satisfied that the proposed final EIR adequately discusses all significant environmental issues, it shall certify that the proposed final EIR has been prepared in compliance with CEQA, the State EIR Guidelines, and the City of Los Angeles CEQA Guidelines, and that it has reviewed and considered the contents of the final EIR in its decision-making process. Such certification shall be done prior to or concurrent with the decision on the project.
- d. If the Decision-Making Body finds that the information contained in the proposed final EIR is not adequate, the EIR shall be returned to the Lead City Agency for further evaluation. The Decision-Making Body shall then postpone its consideration of whether or not to approve the project until such has been accomplished.
- e. The EIR shall be supplemented and recirculated for public review if the Decision-Making Body finds any of the following:
  - (1) The Lead City Agency did not adequately discuss substantial adverse environmental impacts or feasible alternatives in the draft EIR previously circulated for public review;
  - (2) The information contained in the draft EIR previously circulated for public review was so inaccurate, incomplete, biased or misleading so as to have prevented meaningful public review;
  - (3) The draft EIR previously circulated for public review did not reflect the independent judgment of the Lead City Agency; or
  - (4) The project has been substantially modified or its location significantly altered so as to cause significant adverse environmental impacts not discussed in the draft EIR previously circulated for public review.

In recirculating a supplemented EIR, the Lead City Agency shall comply with the provisions of Sections 3 through 8 of this article.

f. Where a proprietary department is the Lead City Agency for a project requiring the preparation of an EIR and City Council approval is required before the project may proceed, both the Board governing the proprietary department and the City Council are Decision-Making Bodies and both shall comply with this section and Section 10 of this article in determining whether to approve the project. In such cases the Notice of Determination shall be prepared by the Lead City Agency and filed after City Council action on the project.

10. Statement of Overriding Considerations.

a. When Required.\*

A Statement of Overriding Considerations shall be adopted by a Decision-Making Body at the time of approval of a project if it finds:

- (1) Substantial adverse environmental impacts have been identified in the EIR which will not be mitigated to an acceptable level; or
- (2) The Decision-Making Body decides to override recommendations of the Lead City Agency that:

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\* A Statement of Overriding Considerations is "permissive" pursuant to Section 15088 of the State EIR Guidelines. However, subsequent to the promulgation by the Secretary for Resources of Section 15088, the Court of Appeal held that the failure to set forth the overriding economic or social values of a project was grounds for setting aside the approval of a project where there were adverse environmental effects and recommendations that the project as proposed be disapproved. Burger v. County of Mendocino, 45 C.A.3d 322 (1975).

- (a) The project be disapproved;
- (b) Additional mitigation measures be imposed; or
- (c) A feasible alternative to the project as proposed be approved.

b. Contents.

The Statement of Overriding Considerations shall set forth the following:

- (1) Any substantial adverse environmental impacts;
- (2) Recommendations, if any, by the Lead City Agency that the project not be approved as proposed; and
- (3) The reasons why, in the opinion of the Decision-Making Body, the project warrants approval despite such consequences or recommendations.

c. Preparation.

Statements of Overriding Considerations shall be prepared by the Lead City Agency as follows:

- (1) If the Lead City Agency is recommending approval of a project requiring a Statement of Overriding Considerations, the Lead City Agency shall prepare the Statement and present it to the Decision-Making Body for its consideration at the time the project is before it for decision. If the Decision-Making Body approves the project, it may adopt the Statement as prepared or modify it prior to adoption.
- (2) If the Lead City Agency is recommending that the project be disapproved or modified before approval and the project is approved as proposed, the Decision-Making Body shall indicate its reasons for overriding the recommendations and the Lead City Agency shall forthwith prepare the Statement and submit it to the Decision-Making Body for its approval.

d. If a Statement of Overriding Consideration is adopted, it shall be included in the record of project approval.

11. Notice of Determination.\*

- a. After a decision is made on the project, the Lead City Agency shall file a Notice of Determination. The Notice shall include:
  - (1) Whether the project has been approved or disapproved;
  - (2) Whether or not the project will have a significant effect on the environment;
  - (3) A statement that an EIR was prepared pursuant to the requirements of CEQA; and
  - (4) Whether a Statement of Overriding Considerations was adopted for the project.
- b. The Notice of Determination shall be filed with the County Clerk of any county where the project will be located and with the DEQ.\*\*
- c. If the project requires the discretionary approval of a State agency, a copy of the Notice of Determination shall be sent to the Secretary for Resources.
- d. In those instances where the City Council is the Decision-Making Body, the Notice of Determination shall be prepared by the Lead City Agency and transmitted to the City Clerk for filing after a decision on the project. The Notice of Determination shall be filed within one week after the Decision-Making Body acts upon the project.

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\* The form to be used for the Notice of Determination is attached to these Guidelines as Appendix D.

\*\* Any action or proceeding alleging that an environmental impact report does not comply with the provisions of CEQA shall be commenced within 30 days after the filing of the Notice of Determination with the County Clerk. Public Resources Code, Section 21167(c).



## ARTICLE VII. CATEGORICAL EXEMPTIONS

1. Classes of Categorical Exemptions.

The Secretary for Resources has provided a list of classes of projects which he has determined do not have a significant effect on the environment and which are therefore exempt from the provisions of CEQA. The following specific categorical exemptions within such classes are set forth for use by Lead City Agencies, provided such categorical exemptions are not used for projects where it can be readily perceived that such projects may have a significant effect on the environment:

a. Class 1. Existing Facilities.

Class 1 consists of the operation, repair, maintenance or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing.

- (1) Interior or exterior alterations involving remodeling or minor construction where there will be negligible or no expansion of use.
- (2) Operation, repair, maintenance or minor alteration of existing facilities of both investor and publicly owned utilities, electrical power, natural gas, sewage, water, and telephone, and mechanical systems serving existing facilities, including alterations to accommodate a specific use.
- (3) Operation, repair, maintenance or minor alteration of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, storage areas, parking lots, aircraft parking areas, wharves, railroads, runways, taxiways, navigable waterways, bridle trails, service roads, fire lanes and golf-cart paths.
- (4) Restoration or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment and systems to meet current standards of public health, safety and environmental protection.
- (5) Additions to existing structures provided that the addition will not result in an increase of more than fifty percent (50%) of the floor area of the structure before the addition, or 2,500 square feet, whichever is less.

- (6) Addition of safety, security, health or environmental protection devices for use during construction of or in conjunction with existing structures, facilities or mechanical equipment, or topographical features (including navigational devices).
- (7) New copy on existing on and off-premise signs.
- (8) Maintenance of existing landscaping, native growth, water supply reservoirs; and brush clearance for weed abatement and fire protection (excluding the use of economic poisons as defined in Division 7, Chapter 2, California Agricultural Code).
- (9) Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, streamflows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources, lakes and reservoirs.
- (10) Division of existing multiple family rental units into condominiums.\*
- (11) Demolition and removal of buildings and structures except where they are of historical, archaeological or architectural consequence as officially designated by federal, State or local governmental action.
- (12) Outdoor lighting for security and operations.
- (13) Interior or internal modifications to established and discrete areas which are fully developed within the larger environment of parks or recreation centers, where such interior or internal modification is essentially a rearrangement (rather than an additive function) such as might occur at a zoo, outdoor museum, sports facility, arboretum, formal garden or similar display area.
- (14) Issuance, renewal or amendment of any lease, license or permit to use an existing structure or facility involving negligible or no expansion of use.

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\* A multiple family rental unit is "existing" when the Department of Building and Safety has issued a certificate of occupancy.

- (15) Installation of traffic signs, signals and pavement markings, including traffic channelization using paint and raised pavement markers.
- (16) Installation of parking meters.
- (17) Operation, repair, maintenance or minor alteration of surface pipelines serving industrial or commercial facilities and all subsurface pipelines.
- (18) Issuance of permits, leases, agreements, berth and space assignments, and renewals, amendments or extensions thereof, or other entitlements granting use of the following existing facilities and land and water areas involving negligible or no expansion of use and/or alteration or modification of the facilities or its operations beyond that previously existing or permitted:
  - (a) Municipal Warehouses and Transit Sheds.
  - (b) Municipal Wharves.
  - (c) Municipal Airports.
  - (d) Storage areas for import-export commodities.
  - (e) Office space.
  - (f) Surface or subsurface pipelines serving industrial or commercial facilities in the Harbor District.
  - (g) Municipal Utility Rights-of-Way.
- (19) The granting of variances by the Board of Police Commissioners from the requirements of Section 41.40 of the L.A.M.C., where the activity permitted will be completed within 30 days after the variance is granted.
- (20) Modernization of an existing highway, street or alley by resurfacing, reconstruction, eliminating jut-outs, widening less than a single lane width, adding shoulders or parking lanes, adding auxiliary lanes for localized purposes (turning, passing, and speed change), and correcting substandard curves and intersections. This exemption shall not be used where extensive tree removal will be involved.
- (21) Modifications to existing storm drain systems for collection of local water at alternate points within an existing local drainage area unless impact on a park is anticipated.

- (22) Granting or renewal of a variance or conditional use for a nonsignificant change of use in an existing building.
- (23) Granting of a variance to permit continued operation of a non-conforming essential service or retail convenience after the mandated Zoning Code removal date.
- (24) Relocation of an existing use within a publicly owned building.
- (25) Installation of fire hydrants on existing water mains.
- (26) Construction of erosion control facilities.
- (27) Zoning Administrator approval of foster care and day care homes pursuant to L.A.M.C. Section 12.27 E.
- (28) Zoning Administrator approval to use existing dwelling units as model homes.

b. Class 2. Replacement or Reconstruction.

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced:

- (1) Replacement or reconstruction of existing schools, hospitals, recreation buildings and libraries to provide earthquake resistant structures which do not increase capacity more than fifty percent (50%).
- (2) Replacement of a commercial or industrial structure with a new structure of substantially the same size and purpose.
- (3) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of use.
- (4) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines.
- (5) Replacement or reconstruction of surface or subsurface pipelines involving negligible or no expansion of use beyond that previously existing.
- (6) Replacement or reconstruction of existing heating and air-conditioning systems.

c. Class 3. New Construction of Small Structures.\*

Class 3 consists of construction and location of single, new, small facilities or structures and installation of small new equipment and facilities:

- (1) Single family residences not in conjunction with the building of two or more units.
- (2) Motels, apartments, and duplexes designed for not more than four dwelling units if not in conjunction with the building of two or more such structures.
- (3) Stores, offices, and restaurants, either temporary or permanent, designed for an occupant load of twenty (20) persons or less, if not in conjunction with the building of two or more structures.
- (4) Installation of new equipment and/or industrial facilities involving negligible or no expansion of use if required for safety, health, the public convenience, or environmental control.
- (5) Water main, sewage, electrical, gas and other utility extensions of reasonable length to serve already approved construction.
- (6) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, fences, game courts (including tennis courts accessory to residential developments), play areas and retaining walls.
- (7) Installation of scientific measuring, monitoring and testing devices.
- (8) Additions to underground electric and water utility distribution system facilities such as cables, conduits, pipelines, manholes, vaults and appurtenances, including connections to existing overhead electrical utility distribution lines.
- (9) Installation of surface and subsurface pipelines and equipment in industrial facilities involving negligible or no expansion of use beyond that previously existing.

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\* See "Exception by Location," Section 4a of this Article .

- (10) Street lighting projects, with the exception of those systems where illumination levels would materially exceed minimum levels of illumination recommended in the current edition of the "American National Standard Practice for Roadway Lighting" as approved by the American National Standards Institute.
- (11) Sewers constructed to alleviate a high potential or existing public health hazard. Such sewers shall be of a size and capacity to serve only the area in need.
- (12) Storm drains constructed to collect low flow or alleviate other local drainage problems unless impact on a park is anticipated.
- (13) Offsite sewers as described in Section 64.11.2 of the L.A.M.C., of no greater diameter than 10 inches, that will serve an area local in nature.
- (14) Authorizations by the Department of Public Utilities and Transportation for the installation, relocation and/or replacement of police and fire boxes, and poles, guys and antennas external to existing buildings.
- (15) Recommendations by the Department of Public Utilities and Transportation for improved crossing protection.
- (16) Issuance by the Department of Public Utilities and Transportation of permits for ambulance driver or attendant, auto-for-hire, public service vehicle, motor bus, non-ambulatory passenger vehicle, or school bus.

d. Class 4. Minor Alterations to Land.\*

Class 4 consists of minor public or private alterations to the condition of land, water and/or vegetation which do not involve removal of mature, scenic trees except for forestry and agricultural purposes:

- (1) Grading on land with a slope of less than ten percent (10%), except where it is to be located in a waterway, in any wetland, in an officially designated (by federal, State or local governmental action) scenic area or in officially mapped areas of severe geologic hazard.
- (2) Grading on land with a slope of ten percent (10%) or more involving 5,000 cubic yards or less, unless more than 1,000 cubic yards will be imported or exported. This exemption will not apply if the project is located in a waterway, in any wetland, in an officially designated (by federal, State or local governmental action) scenic area or in officially mapped areas of severe geologic hazard.
- (3) New gardening, tree planting, or landscaping, but not including tree removal except dead, damaged or diseased trees or limbs.
- (4) Filling of earth into previously excavated land, and maintenance and preservation of land elevation in areas of land settlement and subsidence with material compatible with the natural features of the site.
- (5) Minor alterations in land, water and vegetation on existing officially designated wildlife management areas of fish production facilities which result in improvement of habitat for fish and wildlife resources or greater fish production.

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\* See "Exception by Location," Section 4a of this Article.

- (6) Temporary uses of land having no permanent effects on the environment, including but not limited to carnivals, parades, temporary locational filming, sales of Christmas trees, building materials storage on street or sidewalk during job, construction offices and tract sales offices.
- (7) The issuance, renewal or amendment of any lease, license or permit to use land involving minor alterations to the condition of the land.
- (8) The renewal or amendment of any lease which allows for a minor increase in leased acreage.
- (9) Watercourse permits.
- (10) Grading and/or paving of alleys.
- (11) Zoning Administrator approval to erect and maintain temporary subdivision directional signs.
- (12) Minor trenching and backfilling where the surface is restored.
- (13) The creation of bicycle lanes on existing rights-of-way.
- (14) Relocation of residential structures located on lands acquired for a public use to a new site.

e. Class 5. Alterations in Land Use Limitations.\*  
Class 5 consists of minor alterations in land use limitations, except zoning.

- (1) Minor lot line adjustments, side yard and setback variances not resulting in the creation of any new parcel nor in any change in land use or density.
- (2) Issuance of minor encroachment permits.
- (3) Minor street, alley and utility easement vacations where the vacation does not create a buildable site that would allow a commercial or industrial development of more than 10,000 square feet or a residential development of more than 25 units.
- (4) Conveyances of minor miscellaneous easements, including street, alley or walkway easements.
- (5) Acquisition of public street easements and the construction of street improvements required pursuant to Section 12.37 of the L.A.M.C. including minor modifications and minor waivers of requirements.
- (6) Minor modifications of the conditions of previously approved tentative tract maps involving improved design features when no increase in the number of lots or parcels is proposed.
- (7) Changes in Council instructions related to a change of zone or height district.
- (8) Extensions of time to utilize "Q" provisions imposed upon changes of zone or height district, to utilize a variance or conditional use grant, or to record a final tract.

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\* See "Exception by Location," Section 4a of this Article.

- (9) Interpretations and minor adjustments to the boundaries of zones or height districts limited by the existing provisions of Section 12.30 of the L.A.M.C.
- (10) Minor area variances, building location and configuration variances, yard variances, or slight modifications which do not result in any change in land use or additional dwelling units.
- (11) Appeals from Department of Building and Safety Orders and Zoning Administrator Interpretations which do not result in any change in land use or additional dwelling units.
- (12) Zone changes that reduce the maximum intensity of use where the nature of the use remains the same, such as a zone change from one residential classification to another that allows fewer dwelling units per acre.
- (13) Zone changes or variances that merely conform zoning to an existing use where the existing use was legally commenced.
- (14) Zone changes from residential to P-1 in connection with an already developed commercial or industrial use.
- (15) Acceptance of future streets to provide windows for sewer house connections.
- (16) Removal of minor vehicular access restrictions.
- (17) Dedication of easements for streets, alleys and walkways over City-owned property already improved as streets, alleys or walkways.
- (18) Conveyance of easements between public agencies for streets, alleys or walkways over properties already improved as streets, alleys or walkways.
- (19) Acquisition of easements for drainage and sanitary sewers for the conveyance of local drainage and sewage flow into existing outlet facilities.
- (20) Acquisition of easements for future streets, alleys and walkways.
- (21) Acceptance of future streets, alleys and walkways which are already improved as streets, alleys and walkways, as public streets, alleys and walkways.

- (22) Release of agreements on property involving lot ties, public easements dedications, and submittals of plans.
- (23) Granting or renewal of a variance or conditional use for a non-significant change of use of land.
- (24) Approval of parcel maps involving division of residentially zoned property into four (4) or less parcels.
- (25) Establishment, change or removal of building lines.
- (26) Consolidation of contiguous properties into a lesser number of parcels which may involve the vacation of unimproved paper streets or alleys.
- (27) Termination of City Council approved zone changes or height district files if not implemented after three (3) years, including "T" removals and seven (7) step subdivisions subject to a withholding ordinance for dedication and improvements, if in conflict with the most recent City Council adopted community plan.
- (28) Acquisition of land for the purpose of acquiring fee title underlying an existing easement.
- (29) Acquisition of tax delinquent property where no use other than the existing use is contemplated.
- (30) Granting easements to other local agencies, utilities or private persons to accomplish activities that are categorically exempted by these Guidelines.
- (31) Transfer of jurisdiction of a portion of the Los Angeles City Street System to the County of Los Angeles to allow the County to improve the street.
- (32) Reduction of a conditional use site pursuant to Section 12.24 G. 2. of the L.A.M.C.
- (33) Zone variances to convert guest rooms into apartments.

f. Class 6. Information Collection.\*

Class 6 consists of basic data collection, research, experimental management and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be for strictly information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted or funded.

- (1) Permits for test holes in public areas which will be used for engineering evaluations for street, sewer, storm drain, buildings or utility installations.
- (2) Basic data collection, field testing, research, experimental management and resource activities of City departments, bureaus, divisions, sections, offices or officers which do not result in serious or major disturbance to an environmental resource.
- (3) Permits to drill test holes in navigable waters or submerged lands which will be used for chemical and biological engineering evaluations for marine facilities, and for chemical and biological analysis of sediments.

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\* See "Exception by Location," Section 4a of this Article.

g) Class 7. Actions by Regulatory Agencies for Protection of Natural Resources.  
Not applicable at the present time to the City of Los Angeles.

h. Class 8. Actions by Regulatory Agencies for Protection of the Environment.

Class 8 consists of actions taken by regulatory agencies as authorized by State or local ordinance to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities are not included in this exemption.

- (1) Industrial waste permits.
- (2) Design approvals by the Municipal Arts Commission pursuant to Charter Section 165 and Section 91.4509(a) of the L.A.M.C.
- (3) Renewals of permits by the Bureau of Street Maintenance for operation of existing sanitary landfills. (This exemption shall not be used where a new sanitary landfill site is to be established.)
- (4) Acquisition of lands for the purpose of preserving flood plains and/or open space where no increase in use is proposed.

i. Class 9. Inspections.

Class 9 consists of activities limited entirely to inspection, to check for performance of an operation, or the quality, health or safety of a project, including related activities such as inspection for possible mislabeling, misrepresentation or adulteration of products:

- (1) Inspection of private refuse disposal sites.
- (2) Activities of City departments, bureaus, divisions, sections, offices or officers limited entirely to inspection, to check for performance of an operation, or the quality or safety of a project.

j. Class 10. Loans.

Not applicable at the present time to the City of Los Angeles.

k. Class 11. Accessory Structures.\*  
Class 11 consists of construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial or institutional facilities.

- (1) On-premise signs.
- (2) Parking lots under 110 spaces where no decking or undergrounding is involved.
- (3) Game courts, play equipment, drinking fountains, restrooms, fences, walks, visual screens, or single tennis courts constructed in residential areas.
- (4) Placement of seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms or similar items in generally the same locations from time to time in publicly owned parks.
- (5) Signs located on City property managed by a City department which has a sign policy adopted by the City Council or, in the case of a proprietary department, by its Board of Commissioners.
- (6) Construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial or institutional facilities.

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\* See "Exception by Location," Section 4a of this Article.

1. Class 12. Surplus Government Property Sales.

Class 12 consists of sales of surplus government property except for parcels of land located in an area of statewide interest or potential area of critical concern as identified in the Governor's Environmental Goals and Policy Report, prepared pursuant to Government Code Section 65041, et. seq.

(1) Sales of surplus City-owned property, except for parcels of land located in an area of statewide interest or potential area of critical concern as identified in the Governor's Environmental Goals and Policy Report, prepared pursuant to Government Code Section 65041, et. seq.

m. Class 13. Acquisition of Lands for Wildlife Conservation Purposes.  
Not applicable at the present time to the City of Los Angeles.

n. Class 14. Minor Additions to Schools.

Class 14 consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25% or five classrooms, whichever is less. The addition of portable classrooms is included in this exemption.

- (1) Minor additions to City operated training facilities within existing facility grounds where the addition does not increase original trainee capacity of the facility by more than 25% or five classrooms, whichever is less. The addition of portable classrooms is included in this exemption.

2. Procedures for Adding Categorical Exemptions

a. New Classes

Requests for new classes of categorical exemptions must be submitted to the State Office of Planning and Research. All such requests by Lead City Agencies shall be first submitted to the City Council for approval.

b. New Exemptions Under Existing Classes

A Lead City Agency may petition the City Council to add a categorical exemption under an existing class. The Lead City Agency must provide the City Council with detailed information supporting its contention that the type of project in question does not significantly effect the environment. Where such projects may potentially be carried out in substantially different environments, specific mention should be made as to the type of environment in which the exemption may be applied.

3. Relation to Ministerial Projects

The categorical exemptions listed above include classes of projects which in the City of Los Angeles are already exempted from the requirements of CEQA as ministerial. It is not necessary to refer to a project as categorically exempt if it is already exempt as ministerial.

4. Exceptions

a. Location

Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its effect on the environment may in a particularly sensitive environment be significant. Therefore, these classes may not be utilized where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, State or local agencies.

b. Cumulative Impact

The categorical exemption may not be used when the cumulative impact of successive projects of the same type in the same place may be significant. For example, annual additions to an existing building under Class 1.



A P P E N D I C E S



APPENDIX A

CITY OF LOS ANGELES  
CALIFORNIA ENVIRONMENTAL QUALITY ACT

County Clerk's Use

NOTICE OF EXEMPTION  
(Article IV, Section 3 -- City CEQA Guidelines)

Council District \_\_\_\_\_ Date \_\_\_\_\_

Lead City Agency \_\_\_\_\_

Project Title: \_\_\_\_\_

Project Location: \_\_\_\_\_

Description of Nature, Purpose, and Beneficiaries of Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project if  
Other Than Lead City Agency: \_\_\_\_\_

Exempt Status: (Check One) \_\_\_\_\_

Ministerial (Art. III, Sec. 2b)  
 Declared Emergency (Art. III, Sec. 2a)  
 Emergency Project (Art. III, Sec. 2a)  
 Categorical Exemption (Art. VII, Sec. 1)--State Class  
and Categorical Exemption Number \_\_\_\_\_

Reasons why project is exempt: \_\_\_\_\_

Contact Person	Area Code	Telephone	Extension
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If filed by applicant: \_\_\_\_\_

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes \_\_\_\_\_ No \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_

APPENDIX A



APPENDIX B

CITY OF LOS ANGELES  
CALIFORNIA ENVIRONMENTAL QUALITY ACT

INITIAL STUDY  
(Article IV -- City CEQA Guidelines)

Council District \_\_\_\_\_ Date \_\_\_\_\_

Lead City Agency \_\_\_\_\_

Project Title and Location:

Scope and Description of Project:

Description of Present Environmental Setting:

Possible Environmental Impact (Adverse and Beneficial):  
(Attach worksheets containing analysis of possible impacts)

Recommended Disposition:     / EIR     / Negative Declaration  
   / Undertermined

Estimated cost of preliminary and planning expenses \$ \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title



APPENDIX C

CITY OF LOS ANGELES  
CALIFORNIA ENVIRONMENTAL QUALITY ACT

DEQ Use

NEGATIVE DECLARATION  
(Article V -- City CEQA Guidelines)

Council District \_\_\_\_\_ Date \_\_\_\_\_

Lead City Agency \_\_\_\_\_

Project Title/No.  
\_\_\_\_\_  
\_\_\_\_\_

Project Location \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Project Description \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of Applicant if other than City Agency \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The \_\_\_\_\_ of the City of Los Angeles has determined that this project will not have a significant effect on the environment for the following reasons:  
\_\_\_\_\_  
\_\_\_\_\_

(use additional sheet if necessary)

A copy of the Initial Study for this project is attached.

Signed \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

APPENDIX C



APPENDIX D

CITY OF LOS ANGELES  
CALIFORNIA ENVIRONMENTAL QUALITY ACT

County Clerk's Use

NOTICE OF DETERMINATION  
(Article V, Section 7; Article VI, Section 11  
City CEQA Guidelines)

Council District \_\_\_\_\_ Date \_\_\_\_\_

Lead City Agency \_\_\_\_\_

Project Title/No. \_\_\_\_\_

Project Location \_\_\_\_\_

Project has been approved  / Project has not been approved  /

On \_\_\_\_\_, 19\_\_\_\_\_, the \_\_\_\_\_ determined

/ This project WILL NOT have a significant effect on the environment.

/ This project WILL have a significant effect on the environment.

Signed \_\_\_\_\_

Title \_\_\_\_\_

/ A Negative Declaration was filed with DEQ.

/ An EIR was not prepared for this project.

/ A statement of Overriding Considerations was adopted for this project.

/ An EIR was prepared for this project and is on file with:

City Department of Environmental Quality  
Room 550, City Hall East  
200 North Main Street  
Los Angeles, CA 90012

Name of person preparing this form \_\_\_\_\_

Title \_\_\_\_\_

APPENDIX D



APPENDIX E

TO: State of California  
The Resources Agency  
Secretary for Resources  
1416 Ninth Street, Room 1311  
Sacramento, California 95814

NOTICE OF COMPLETION

Project Title

Project Location - Specific

Project Location - City

Project Location - County

Description of Nature, Size, Purpose, and Beneficiaries of Project

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Lead Agency

Division

Address Where Copy of EIR is Available (Lead City Agency)

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Review Period (Include Calendar Dates)

Contact Person

Area Code

Telephone

Extension

\*All draft EIRs prepared by agencies of the City of Los Angeles are on file with the Department of Environmental Quality, Room 550, City Hall East, and will be made available to members of the public for examination.



## APPENDIX F

### Energy Conservation

The California Environmental Quality Act was amended, effective January 7, 1975, to require that the discussion of mitigation measures in an EIR include a discussion of measures to reduce the inefficient and unnecessary consumption of energy. The following discussion is offered as assistance in meeting this requirement.

Energy conservation is the wise use of energy resources. The wisdom of a certain kind of energy use will vary according to the circumstances. In late 1974, a leading consideration in energy use is the reduction in dependence upon high priced imported petroleum. Other considerations are the reduction in pollution from energy use and finding ways to make resources in short supply last longer and be used for the most essential purposes.

Energy conservation measures, including both the available alternatives and those incorporated into the design and operation of a proposed project need to be discussed in EIRs. There are many ways in which a project may be designed or operated to make more efficient and wise use of energy. The following list of conservation measures provides examples that may be used in EIRs where relevant. The list is not exhaustive, and it is not necessary to discuss each example in every EIR.

- (1) Insulation and other protection from heat loss or heat gain to conserve fuel used to heat or cool buildings and mobile homes.
- (2) Use of resource conserving forms of energy such as solar energy for water and space heating, wind for operating pumps, falling water for generating electricity, and heat pumps.
- (3) Energy efficient building design including such features as orientation of structures to summer and winter sunlight to absorb winter solar heat and reflect or avoid summer solar heat and the use of proper insulation in walls and attics of homes and commercial buildings.

- (4) Measures to reduce energy consumption in transportation such as:
  - (a) Providing access to alternative means of transportation for people such as bus lines, mass transit, bicycle lanes, pedestrian facilities, and car pooling.
  - (b) Use of small cars rather than large cars where possible.
  - (c) Use of alternative means of shipping which allow for energy savings.
- (5) Efficient lighting practices including use of indirect natural light, use of efficient lighting fixtures and/or sources, establishment of reasonable lighting criteria to prevent over illumination, and minimum use of architectural or display lighting.
- (6) Energy conserving construction practices.
- (7) Use of energy conservation devices such as flywheels.
- (8) Rate structures which discourage unnecessary energy consumption.
- (9) Use of human or animal power where such use is feasible.
- (10) Waste heat recovery.
- (11) Recycling and use of recycled materials.

Oversized Map or Foldout not scanned.

Item may be viewed at the  
Institute of Governmental Studies Library, UC Berkeley.

w/o Neg. Dec.

Agency if State  
Approved Required

APPENDIX G  
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U.C. BERKELEY LIBRARIES



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